

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ALFREDO P. GALINDO,

No. 1:10-cv-06195-CL

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Commission,

ORDER

Defendant.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

I agree with Magistrate Judge Clarke that the ALJ erred by

failing to account for the limitations found by one of plaintiff's physicians. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#24) is adopted. The decision of the Commissioner is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

DATED this 7 day of March, 2012.



OWEN M. PANNER
U.S. DISTRICT JUDGE